



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution declining to succeed with a Williamson Act Contract within the Reynolds Ranch area.

MEETING DATE: December 20, 2006

PREPARED BY: Randy Hatch, Community Development Director

RECOMMENDED ACTION: Adopt Resolution declining to succeed with a Williamson Act Contract within the Reynolds Ranch area.

BACKGROUND INFORMATION: On August 30, 2006, the City Council approved the 220 Acre mixed use development south of Harney and west of State Route 99 contiguous to the City Limits. The Council also approved a request to annex the area. On September 22, 2006 the proposed annexation was presented to the San Joaquin County Local Formation Commission (LAFCO) for inclusion in the City Limits. On September 25, the LAFCO protest hearing was held at the City which confirmed the annexation would not require a vote of the property owners. Finally, on December 8, LAFCO, based on the results of the protest hearing, finalized their approval of the annexation.

The southern most parcel (APN 058-110-41) in the Reynolds Ranch Project area, measuring approximately 110 acres, has a Williamson Act Contract associated with it. However, the City protested the execution of this contract, otherwise known as the California Land Conservation Contract, by resolution 4449 on December 21, 1977, which is a common and permitted practice for parcels that were within 1 mile from the City limits. By protesting the execution of this contract the City reserved its right to decline the continuation of the Williamson Act Contract after annexation of the parcel into the City. LAFCO upheld the protest of the City thereby allowing the City not to succeed to the obligations of the Williamson Act contract.

The prior Council protested the Williamson Act contract for the very reason that the General Plan showed the area for eventual incorporation and development. Staff recommends that Council decline to succeed with the Williamson Act Contract for areas within the Reynolds Ranch Project. The attached Resolution therefore declines to succeed with the Williamson Act Contract on parcel number 058-110-41 and authorizes the City Manager to file the attached Certificate of Contract Termination with the County Recorder as provided in Government Code Section 51243.5.

FISCAL IMPACT: None



Randy Hatch
Community Development Director

RH/JH/kjc
Attachments: Resolution

APPROVED: 

Blair King, City Manager

RESOLUTION NO. 2006-229

A RESOLUTION OF THE LODI CITY COUNCIL DECLINING TO
SUCCEED TO A WILLIAMSON ACT CONTRACT IN THE REYNOLDS
RANCH PROJECT AREA AND AUTHORIZING THE CITY MANAGER
TO FILE A CERTIFICATE OF CONTRACT TERMINATION

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WHEREAS, pursuant to California Government Code §51243.5, the City Council can decline to succeed to a Williamson Act contract upon the occurrence of the following conditions:

- 1) The land being annexed was within one mile of the city's boundaries when the contract was entered; and
- 2) The city files a resolution with the Local Agency Formation Commission (LAFCO) protesting the contract; and
- 3) LAFCO finds at a public hearing that the contract would be inconsistent with the publicly desirable future use and control of the land; and
- 4) LAFCO approves the city's protest; and
- 5) The Williamson Act contract was entered prior to January 1, 1991.

WHEREAS, all of the above conditions apply to the southern most parcel (APN 058-110-41) in the Reynolds Ranch Project area, measuring approximately 110 acres; and

WHEREAS, the San Joaquin County Board of Supervisors held the above required hearing and passed the above findings by Resolution No. 396 on October 20, 1978.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi hereby declines to succeed to the Williamson Act Contract on the southern most parcel (APN 058-110-41) in the Reynolds Ranch Project area, measuring approximately 110 acres, and authorizes the City Manager to file a Certificate of Contract Termination with the County Recorder as provided in Government Code Section 51243.5.

Dated: December 20, 2006

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I hereby certify that Resolution No. 2006-229 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 20, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk